

**DECLARATION AND POWER OF ATTORNEY- USA PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled METHODS FOR ENHANCING THE EFFICACY OF CANCER THERAPY the specification of which was filed on **07/10/2001** as Application Serial No. **09/901,812**.

I hereby state that I have reviewed and understand the contents of the above-identified specification;

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56;

I hereby claim the benefit under Title 35, United States Codes § 119(e) of any United States provisional application(s) listed below.

Application No.: 60/228,914

Filing Date: 08/29/2000

and under 35 U.S.C. §120 of copending U.S. Application Serial No. 09/759,056 filed on January 21, 2001, which in turn claims priority to provisional application Nos. 60/175,849 filed on January 13, 2000, 60/197,089 filed on April 14, 2000, and 60/228,914 filed on August 29, 2000.

POWER OF ATTORNEY: I hereby appoint the registrants of Knobbe, Martens, Olson & Bear, LLP, 620 Newport Center Drive, Sixteenth Floor, Newport Beach, California 92660, Telephone (949) 760-0404, **Customer No. 20,995**.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: **Diane Pennica**

Inventor's signature

Diane Pennica

Date

10-03-01

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Full name of Third inventor: **Wayne Szeto**

Inventor's signature Wayne Szeto

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Full name of Fourth inventor: **David Tice**

Inventor's signature David A. Tice

Date 10/04/01

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